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HWCS/dt

Paper No.: _____

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Inventor(s): KAMINSKI, Chris; LEBOW, David; and LEE, Michael
 Title: APPARATUS AND METHOD FOR CELL VOLTAGE MONITORING
 Serial No.: Unassigned
 Filed: Herewith
 Date: 11 September 2003

To: Assistant Commissioner for Patents
 Washington, D.C.
 20231

Dear Sir:

ASSOCIATE POWER OF ATTORNEY

Please recognize the following attorneys as my associate attorneys in respect of this application:

<u>NAME</u>	<u>REGISTRATION NO.</u>
L. Grant Foster	33,236
D. Delos Larson	46,118

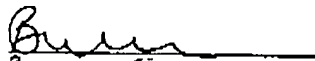
Please direct all telephone calls to Holland & Hart LLP at Telephone No. (801) 595-7830.

Please address all correspondence to:

HOLLAND & HART LLP
 60 East South Temple
 Suite 2000
 Salt Lake City, Utah
 84111-1031 U.S.A.

Respectfully submitted,

By:


 Bruce M. Green
 Registration No. 30,524
 tel: 604.669.3432
 fax: 604.681.4081
 e-mail: hsuc@parentable.com

Vancouver, B.C.
 CANADA

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P.5/18

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. PATENT APPLICATION SERIAL NO. 10/667,270
FILING DATE 17 September 2003
INVENTORS Chris Kaminski et al.
ASSIGNEE Cellex Power Products, Inc.
GROUP ART UNIT 2858
EXAMINER Unknown
ATTORNEY'S DOCKET NO. 45896.0022
TITLE "Apparatus and Method for Cell Voltage Monitoring"

STATEMENT CONCERNING SMALL ENTITY

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

From: L. Grant Foster
HOLLAND & HART LLP
555 - 17th Street, Suite 3200
P.O. Box 8749
Denver, Colorado 80201
Telephone: (801) 595-7830
Facsimile: (801) 364-9124

This confirms that Applicant qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

Respectfully submitted,

Date: 12 APRIL 2004

L. Grant Foster
Registration No. 33,236

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C5780019
TWB/cd**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; that I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled:

**APPARATUS AND METHOD FOR
CELL VOLTAGE MONITORING**

which is described and claimed in:

- 10/667,270
- ☒ the specification in application Serial No. ~~10/667,70~~ filed 17 September 2003.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge my duty to disclose information which is material to the patentability of this invention in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is claimed:

Prior Foreign/PCT Application(s)			Priority Claimed?	
Serial No.	Country	Filing Date	Yes	No

I hereby claim the benefit, under 35 U.S.C. §119(e), of any United States provisional application(s) that is/are listed below:

U.S. Provisional Patent Applications	
Serial No.	Filing Date

I hereby claim the benefit, under 35 U.S.C. §120, of any United States application(s) or any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

U.S. Patent Applications		Status (Check One)		
Serial No.	Filing Date	Patented	Pending	Abandoned

PCT Applications Designating US			Status (Check One)		
PCT No.	Filed	U.S.S.N.	Patented	Pending	Abandoned

I hereby appoint the following attorney(s) and/or agent(s), with full powers of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

<u>Name</u>	<u>Regn. No.</u>	<u>Name</u>	<u>Regn. No.</u>
Gerald O.S. Oyen	27,280	Gavin N. Manning	36,412
Blake R. Wiggs	29,505	George F. Kondor	40,477
Bruce M. Green	30,524	Craig A. Ash	48,228
David J. McGruder	32,375	Hilton W.C. Sue	51,325
Thomas W. Bailey	36,411		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole
or first Inventor: CHRIS KAMINSKI

Inventor's signature: *Chris Kaminski*

Date: April 7, 2004

Residence Address: 10780 Roselea Crescent
Richmond, British Columbia
Canada V7A 2R4

Citizenship: Canadian

Mailing Address: same as above

Full name of
second Inventor: DAVID LEBOE
Inventor's signature: David Leboe
Date: April 7/2004
Residence Address: 2156 West 15th Avenue
Vancouver, British Columbia
Canada V6K 2Y5
Citizenship: Canadian
Mailing Address: same as above

Full name of
third Inventor: MICHAEL LEE
Inventor's signature: Michael Lee
Date: April 2, 2004
Residence Address: 401 - 920 Hillside Avenue
Victoria, British Columbia
Canada V8T 1Z8
Citizenship: Canadian
Mailing Address: same as above